

1 RICK A. YARNALL
2 CHAPTER 13 BANKRUPTCY TRUSTEE
3 701 Bridger Ave
Suite 820
Las Vegas, NV 89101
(702) 853-4500

E-FILED

4
5 **UNITED STATES BANKRUPTCY COURT**
DISTRICT OF NEVADA

6 IN RE:
7 MARK D. GREEN

CASE NO: BKS-16-13887-MKN

8 PETERS & ASSOCIATES LLP
Attorney for the Debtor

9
10 **CHAPTER 13**
11 **Hearing Date: 10/06/2016**
12 **Hearing Time: 1:30 PM**

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14 **TRUSTEE'S OBJECTION TO CONFIRMATION OF PLAN**
COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL

15 Chapter 13 Bankruptcy Trustee, RICK A YARNALL, TRUSTEE, hereby objects to confirmation of the Chapter 13
16 Plan. The Debtor filed for Chapter 13 relief on 07/14/2016. The 341(a) Meeting of Creditors held on 8/30/2016 at 10:00
17 a.m. was concluded. The Trustee objects to confirmation of the plan for the following reason:

- 18 • Debtor failed to commence making timely payments under § 1326. Trustee requests that this case be dismissed
19 pursuant to § 1307(c)(4).

20 In order to complete his investigation into the Debtor's financial affairs, Trustee requires the following
21 documentation:

- 22 • Verification of all sources of income received each month through confirmation of the plan;
23 • Evidence that vehicle payments are current;
24 • Mortgage statement and conduit information sheet for 7109 Powderhorn Cir property.
• Other: provide detailed breakdown with receipts as to the use of the funds (\$10,000) received from sale of
home.

These objections increase the Debtor's disposable income. Debtor's plan does not provide for all of Debtor's
disposable income, therefore Trustee requests that confirmation of the plan be denied.

Trustee further opposes confirmation for the following reasons:

1 ● Pursuant to Administrative Order 2013-04 monthly vehicle payments must be paid through the chapter 13 trustee as
2 conduit payments;

3 Trustee reserves the right to make further objections to confirmation and requests for documentation until the above
4 mentioned documents have been received, amendments have been made, and the plan is ultimately confirmed or
5 dismissed. In the event that the Debtor(s) fail to timely resolve Trustee's objection to confirmation, Trustee requests that
6 confirmation be denied and the case be dismissed.

7 Therefore, the Trustee objects to confirmation for the foregoing reasons and recommends that this case be dismissed.

8 DATED this 30th day of August, 2016.

9
10 /s/ Rick A. Yarnall

11 RICK A. YARNALL

12 Chapter 13 Bankruptcy Trustee

13 701 Bridger Ave, Suite 820

14 Las Vegas, Nevada 89101

16 **CERTIFICATE OF SERVICE**

17 I hereby certify that I am an employee of RICK A. YARNALL, Chapter 13 Bankruptcy Trustee; that I am over the
18 age of 18 years; and that on the 30th day of August, 2016, I provided a copy of the Trustee's Opposition to
19 Confirmation of Plan Combined With Trustee's Recommendation for Dismissal and Certificate of Service to each of

1 [x] a. **ECF System:**
2 JUDAH ZAKALIK jennifer@pandalawfirm.com, jessie@pandalawfirm.com

3 [x] b. **United States mail, postage fully prepaid:**

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5 MARK D. GREEN
6 7109 POWDERHORN CIR.
7 LAS VEGAS, NV 89128

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